

IN THE DRAWINGS

Please amend Figures 1, 5, and 7 as shown on the replacement drawing sheets attached to the Submission of Corrected Drawings submitted herewith.

R E M A R K S

Claims 1-48 are pending and under consideration. In the non-final Office Action of February 15, 2005, the Examiner made the following disposition:

- A.) Objected to Figures 1, 5, and 7.
- B.) Rejected claims 15-28 under 35 U.S.C. §101.
- C.) Rejected claim 45 under 35 U.S.C. §112, second paragraph.
- D.) Rejected claims 1-3, 6-13, 15-17, 20-27, 29, 31, 34, 35, 37, 40, 41, 44, and 46-48 under 35 U.S.C. §102(e) as being allegedly anticipated by *Acharya, et al. (U.S. Patent No. 6,826,593) ("Acharya")*.
- E.) Rejected claims 1-3, 6-17, 20-29, 31, 33-35, 38, 40, 41, 44, and 46-48 under 35 U.S.C. §102(e) as being anticipated by *Lewis, et al. (U.S. Patent No. 6,553,376) ("Lewis")*.
- F.) Rejected claims 30, 32, and 39 under 35 U.S.C. §103(a) as being unpatentable over *Acharya*.
- G.) Rejected claims 4, 5, 18, 19, 36, 42, 43, and 45 under 35 U.S.C. §103(a) as being unpatentable over *Acharya* in view of what is allegedly known in the art.

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

A.) Objection to Figures 1, 5, and 7:

Figures 1, 5, and 7 have been amended as per the Examiner's request to overcome the objection. Replacement sheets for Figures 1, 5, and 7 are submitted with the Submission of Corrected Drawings filed herewith.

Applicants respectfully submit the objection has been overcome and request that it be withdrawn.

B.) Rejection of claims 15-28 under 35 U.S.C. §101:

Claims 15-28 have been amended as per the Examiner's request to overcome the rejection.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

C.) Rejection of claim 45 under 35 U.S.C. §112, second paragraph:

Claim 45 has been amended as per the Examiner's request to overcome the rejection.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

D.) Rejection of claims 1-3, 6-13, 15-17, 20-27, 29, 31, 34, 35, 37, 40, 41, 44, and 46-48 under 35 U.S.C. §102(e) as being allegedly anticipated by *Acharya, et al. (U.S. Patent No. 6,826,593) ("Acharya")*:

Applicants respectfully disagree with the rejection.

Applicants' independent claims 1, 15, 29, 34, 40, and 41 each claim subject matter relating to deriving a data block identifier from the constituent data that comprises a requested data block.

This is clearly unlike *Acharya*, which fails to disclose or even suggest deriving a data block identifier from the constituent data that comprises a requested data block. *Acharya* teaches a method and system for providing a user-selectable version of a file. *Acharya*, Abstract. A user requests a web page by entering a URL or clicking on a hyperlink in a browser. A server responds by returning a skeleton of the requested web page that includes links or pointers to images or files embedded within the web page. *Acharya*, 8:58-64.

The Examiner argues that *Acharya's* returning a skeleton of the requested web page that includes links or pointers to images or files embedded within the web page anticipates Applicants' claimed subject matter of deriving a data block identifier from the constituent data that comprises a requested data block. Applicants respectfully disagree. To begin with, *Acharya's* links and pointers are not data block identifiers of a requested data block. It appears the Examiner equates *Acharya's* requested web page to Applicants' claimed requested data block. *Acharya's* links and pointers identify images or files embedded within *Acharya's* web page -- they do not identify the web page itself. Accordingly, *Acharya's* links and pointers could fail to disclose or even suggest Applicants' claimed data block identifier.

Further, *Acharya's* links and pointers are not derived from constituent data that comprises a requested data block. *Acharya's* links and pointers are not derived, they are merely present within the skeleton of a web page. In other words, they are data within *Acharya's* web page, not derived from data within *Acharya's* web page. For at least this additional reason, *Acharya* fails to anticipate Applicants' claimed invention.

Therefore, for at least the reasons discussed above, *Acharya* fails to disclose or even suggest claims 1, 15, 29, 34, 40, and 41.

Claims 2-14, 16-28, 30-33, 35-39, and 42-48 depend directly or indirectly from claims 1, 15, 29, 34, 40, or 41 and are therefore allowable for at least the same reasons that claims 1, 15, 29, 34, 40, and 41 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

E.) Rejection of claims 1-3, 6-17, 20-29, 31, 33-35, 38, 40, 41, 44, and 46-48 under 35 U.S.C. §102(e) as being anticipated by *Lewis, et al. (U.S. Patent No. 6,553,376) ("Lewis")*:

Applicants respectfully disagree with the rejection.

As discussed above, Applicants' independent claims 1, 15, 29, 34, 40, and 41 each claim subject matter relating to deriving a data block identifier from the constituent data that comprises a requested data block.

This is clearly unlike *Lewis*, which fails to disclose or even suggest deriving a data block identifier from the constituent data that comprises a requested data block. *Lewis* teaches a method and system for displaying a media file (e.g., a video stream) using a browser. *Lewis*, 5:32-35. The browser requests the media file by making a file request for a media redirection file (MRF) from a web server. *Lewis*, 5:48-54. The server returns the MRF, which contains instructions for the type of media player that is required to view the media file and instructions for where to locate the media file. *Lewis*, 5:54-59.

The Examiner argues that *Lewis*'s returning a MRF that includes instructions for where to locate the media file anticipates Applicants' claimed subject matter of deriving a data block identifier from the constituent data that comprises a requested data block. Applicants respectfully disagree. It appears the Examiner equates *Lewis*'s requested media file to Applicants' claimed requested data block. *Lewis*'s MRF is a file that includes instructions for where to locate *Lewis*'s media file. Therefore, *Lewis*'s MRF is not derived from the media file, it merely instructions for where to locate the media file. Accordingly, *Lewis* fails to disclose or even suggest deriving a data block identifier from the constituent data that comprises a requested data block. For at least this reason, *Lewis* fails to disclose or even suggest claims 1, 15, 29, 34, 40, and 41.

Claims 2-14, 16-28, 30-33, 35-39, and 42-48 depend directly or indirectly from claims 1, 15, 29, 34, 40, or 41 and are therefore allowable for at least the same reasons that claims 1, 15, 29, 34, 40, and 41 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

F.) Rejection of claims 30, 32, and 39 under 35 U.S.C. §103(a) as being unpatentable over *Acharya*:

Applicants respectfully disagree with the rejection.

Independent claims 29 and 34 are allowable over *Acharya* as discussed above. Claims 30, 32, and 39 depend directly or indirectly from claim 29 or 34 and are therefore allowable for at least the same reasons that claims 29 and 34 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

G.) Rejection of claims 4, 5, 18, 19, 36, 42, 43, and 45 under 35 U.S.C. §103(a) as being unpatentable over *Acharya* in view of what is allegedly known in the art:

Applicants respectfully disagree with the rejection.

Independent claims 1, 15, 34, and 41 are allowable over *Acharya* as discussed above. Applicants respectfully submit the Examiner has failed to cite a reference that discloses or suggests each and every element of claims 1, 15, 34, and 41. Further, Applicants submit the subject matter of claims 1, 15, 34, and 41 was not known in the art. Therefore, *Acharya* in view of the allegedly known art still fails to disclose or suggest claims 1, 15, 34, and 41.


Claims 4, 5, 18, 19, 36, 42, 43, and 45 depend directly or indirectly from claim 1, 15, 34, or 41 and are therefore allowable for at least the same reasons that claims 1, 15, 34, and 41 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-48 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

(Reg. No. 45,034)

Christopher P. Rauch
SONNENSCHN NATH & ROSENTHAL LLP
P. O. Box 061080
Wacker Drive Station - Sears Tower
Chicago, Illinois 60606-1080
Telephone (312) 876 8000
Customer No. 26263